

IN THE UNITED STATES FEDERAL DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

CLIFF JOHNSON
Defendant.

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CR. NO. 2:06cr-169-WHA

MOTION FOR BILL OF PARTICULARS CLIFF JOHNSON

COMES, James R. Cooper, Jr. who on behalf of his client Cliff Johnson, does move for a BILL OF PARTICULARS under 7 f of the Federal Rules of Criminal Procedure and states in support thereof as follows:

1. The attorney representing Ms. Dementria Mills has already petitioned and received an Order directing the government to file a BILL OF PARTICULARS concerning Counts 23, 28 and 31 concerning telephone calls she had with Mr. Johnson.

And as to the following Counts the defendant would allege :

2. In Count 15, Mr. Johnson is alleged to have had a conversation with Terrance Antwan Jerome Newkirk August 19, 2005, at approximately 9:41 A.M.:
3. In Count 16, Mr. Johnson is alleged to have had a conversation with Terrance Antwan Jerome Newkirk August 19, 2005, at approximately 9:44 A.M.:
4. In Count 17, Mr. Johnson is alleged to have had a conversation with Terrance Antwan Jerome Newkirk August 19, 2005, at approximately 3.55 P.M.:
5. In Count 18, Mr. Johnson is alleged to have had a conversation with an unknown person August 19, 2005, at approximately 5:47 P.M.:
6. In Count 19, Mr. Johnson is alleged to have had a conversation with an Charles Daniel Craig August 21, 2005:
7. In Count 20, Mr. Johnson is alleged to have had a conversation with Terrance Antwan Jerome Newkirk August 21, 2005:

8. In Count 21, Mr. Johnson is alleged to have had a conversation with an unknown person, aka Ethel August 22, 2005
9. In Count 22, Mr. Johnson is alleged to have had a conversation with some unknown person August 22, 2005, at approximately 3:03 P.M.:
10. In Count 23, Mr. Johnson is alleged to have had a conversation with Dementia Mills August 22, 2005, at approximately 3:16 P.M.:
11. In Count 24, Mr. Johnson is alleged to have had a conversation with Charles Daniel Craig August 24, 2005, at approximately 7:10 A.M.:
12. In Count 25, Mr. Johnson is alleged to have had a conversation with Charles Daniel Craig August 24, 2005, at approximately 7:14 A.M.:
13. In Count 26, Mr. Johnson is alleged to have had a conversation with Demetrious Terrell Pegues August 24, 2005.
14. In Count 27, Mr. Johnson is alleged to have had a conversation with Charles Daniel Craig August 24, 2005, at approximately 6:58 P.M.:
15. In Count 28, Mr. Johnson is alleged to have had a conversation with Dementia Mills September 9, 2005:
16. In Count 29, Mr. Johnson is alleged to have had a conversation with Christopher Iman Ulmer September 12, 2005:
17. In Count 30, Mr. Johnson is alleged to have had a conversation with Christopher Iman Ulmer September 12, 2005 at approximately 11:22 A.M.:
18. In Count 31, Mr. Johnson is alleged to have had a conversation with Dementia Mills September 21, 2005:
19. In Count 32, Mr. Johnson is alleged to have had a conversation with Charles Daniel Craig September 29:

All the above referenced Counts allege the use of the phones in connection with causing or facilitating the offense alleged in Count One.

All the above referenced Counts are silent as to the actions taken by Mr. Johnson in using such a telephone call. The Count is silent about how the telephone call caused and facilitated the offense alleged in its connection with Count One of the indictment. The Counts are silent as to what was particularly said that constituted a criminal offense. The Defendant asks the government to specify what conduct it alleges of the Defendant and how such conduct caused or

facilitated the offense set forth in Count One of the indictment.

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RESPECTFULLY SUBMITTED,

/s/ James R. Cooper, Jr.
James R. Cooper, Jr. (COO021)
COOPER & COOPER
312 Scott Street
Montgomery, Alabama 36104
(334) 262-4887
(334) 262-4880 (Facsimile)

CERTIFICATE OF SERVICE

I hereby certify that on this the 25th day of September, 2007 , I have served a copy of the foregoing Motion for Bill of Particulars Upon Ms. Clark Morris, AUSA , at the last known address of: P.O. Box 197, Montgomery, Al By placing a copy of the same in the United States Mail properly addressed and postage prepaid and electronically.

/s/James R. Cooper, Jr.
JAMES R. COOPER, JR.

CC:
Cliff Johnson
Montgomery City Jail
P. O. Drawer 159
Montgomery, AL 36104